

National Park Service, Interior

§ 3.7

§ 3.4 Accidents.

(a) All incidents involving an accident, collision, fire injury or other casualty shall be reported to the superintendent within 24 hours. Filing this report does not satisfy applicable United States Coast Guard, State and county accident report requirements.

(b) Failure to report an incident to the superintendent as soon as possible is prohibited.

§ 3.5 Inspections.

(a) Authorized persons may at any time stop or board a vessel to examine documents, licenses or permits relating to operation of the vessel, and to inspect such vessel to determine compliance with regulations pertaining to safety equipment and operation.

(b) An authorized person who observes a vessel being operated without sufficient lifesaving or firefighting devices, or in an overloaded or unsafe condition, as defined in United States Coast Guard or National Park Service regulations, may direct the operator to take immediate and reasonable steps necessary for the safety of those aboard the vessel, including but not limited to directing the operator to:

- (1) Correct the hazardous condition immediately;
- (2) Proceed to a mooring, dock, or anchorage; or
- (3) Suspend further use of the boat until the hazardous condition is corrected.

(c) Violation of directions issued in accordance with paragraph (b) of this section is prohibited.

§ 3.6 Prohibited operations.

The following are prohibited:

(a) Operating a vessel, or knowingly allowing another person to operate a vessel, in a reckless or negligent manner, or in a manner so as to endanger or be likely to endanger a person or property.

(b) Operating a vessel when under the influence of alcohol or controlled substance to a degree that may endanger oneself or another person or damage property or park resources.

(c) Failing to observe restrictions established by a regulatory marker.

(d) Operating a vessel in excess of 5 mph or creating a wake:

(1) In areas so designated; or

(2) Within 100 feet of a diver's marker, downed water skier or swimmer.

(e) Operating a vessel not propelled by hand within 500 feet of a location designated as a swimming beach. This prohibition does not apply in locations such as rivers, channels, or narrow coves where passage is restricted to less than 500 feet. In such restrictive locations, the operation of a vessel in excess of 5 mph or creating a wake is prohibited.

(f) Allowing a person to ride on the gunwales, transom, or on the decking over the bow of a vessel propelled by machinery, operating in excess of 5 mph; *Provided, however,* That this provision shall not apply under the following circumstances:

(1) When that portion of the vessel was designed and constructed for the purpose of carrying passengers safely at all speeds,

(2) When the vessel is being maneuvered for anchoring, mooring or casting off moorings.

(g) Attaching a vessel to or interfering with a marker, navigation buoy or other navigational aid.

(h) Using trailers to launch or recover vessels, except at designated launching sites.

(i) Launching a vessel propelled by machinery at other than designated launch sites.

(j) Operating a vessel propelled by machinery on waters not directly accessible by road.

(k) Launching or operating airboats.

(l) Operating a vessel in excess of designated size, length or width restrictions.

§ 3.7 Noise abatement.

Operating a vessel in or upon inland waters so as to exceed a noise level of 82 decibels measured at a distance of 82 feet (25 meters) from the vessel is prohibited. Testing procedures employed to determine such noise levels shall be in accordance with or equal to the Exterior Sound Level Measurement Procedure for Vessels recommended by the Society of Automotive Engineers SAE-J34a (Revised April, 1977).